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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,151	12/12/2003	II Yasuhiro	6453P020	5667
8791 7590 12/23/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
ABDI, AMARA				
ART UNIT		PAPER NUMBER		
2624				
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12/23/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/735,151

Applicant(s)

YASUHIRO, IL

Examiner

Amara Abdi

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,3-7,9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) 2,8 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's response to the last office action, filed September 30, 2008 has been entered and made of record.
2. Applicant's arguments with respect to claim 1 and 7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-7, 9, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seto (US-PGPUB 2002/0029242) in view of Jebens et al. (US 6,321,231).

(1) Regarding claims 1, 7, and 9:

Seto teaches a server connected to a client via a network for editing image data based on image editing commands from the client (paragraph [0090], line 1-4), and image editing method (paragraph [0010], line 3-4), and computer readable storage medium (paragraph [0010], line 6-8), the server comprising:

a storing unit (element 5 in Fig. 1) to store image files (paragraph [0123], line 4-5)

a first image editing unit (element 7 in Fig. 1) to edit a low resolution part of an image file stored in the storing unit (paragraph [0090], line 1-4, and paragraph [0159], line 5-13);

an information unit (S5 in Fig. 2) to inform the client that the image editing process has been completed by the first image editing unit (paragraph [0091], line 1-3);

However, Seto does not teach explicitly the editing of low resolution part of image file in synchronization with receiving an image editing command from the client; the job supplying unit to form a job commanding a high resolution part of the image file stored in the storing unit to be edited and to insert the job in a queue; and a second image editing unit to conduct a background process at a prescribed timing to edit the high resolution part of the image file stored in the storing unit with respect to the received image editing command from the client in accordance with the job inserted in the queue by the job supplying unit.

Jebens et al., in analogous environment, teach the editing (col. 19, lines 60-61) of low resolution part of image file (col. 5, lines 14-15) in synchronization (synchronous optical network) with receiving an image editing command from the client (col. 7, lines 15-16); the job supplying unit (850 in Fig. 10G) to form a job commanding a high resolution part of the image file stored in the storing unit (col. 22, lines 43-54) to be edited (col. 19, lines 60-61) and to insert the job in a queue (col. 18, lines 63-67), and a second image editing unit to conduct a background process (asynchronous process) (col. 6, lines 48-50) at a prescribed timing (col. 5, lines 30-31) to edit the high resolution part of the image file stored in the storing unit (col. 19, lines 60-61) with respect to the

received image editing command from the client in accordance with the job inserted in the queue by the job supplying unit (col. 5, lines 11-34).

It is desirable to provide a digital image management and order delivery system. The Jebens approach, where editing a portion by using a low resolution of image data, and replacing the low resolution image data with the high resolution image data asynchronously at the time of the printing is to achieve this goal. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to apply the Jebens teaching, where editing a portion by using a low resolution of image data, and replacing the low resolution image data with the high resolution image data asynchronously at the time of the printing, with Seto teaching, because such combination provides a digital image management and order delivery system (col. 2, lines 13-15).

(2) Regarding claims 3 and 11:

Seto and Jebens et al. teach the parental claim 1. Furthermore, Seto teaches the server, where when the client commands the image file to be displayed (Jebens: paragraph [0021], line 19-20), encoded data of the edited low resolution part of the image file (the selected of the amount of data) is transmitted to the client (Jebens: paragraph [0021], line 21-22).

(3) Regarding claims 4 and 12:

Seto and Jebens et al. teach the parental claim 1. Furthermore, Jebens et al. teach the server as claimed in claim 1, wherein when the client commands a portion of the high resolution part of the image file to be displayed (Jebens: col. 5, lines 55-56) in a

case where the second image editing has not completed editing the high resolution part of the image file (Jebens: col. 9, lines 47-54), the portion of the high resolution part of the image file is edited (Jebens: col. 19, lines 60-61), and the edited portion of the high resolution part of the image file is encoded and transmitted to the client (Jebens: col. 10, lines 18-23).

(4) Regarding claims 5 and 13:

Seto and Jebens et al. teach the parental claim 1. Furthermore, Jebens et al. teach the server as claimed in claim 4, wherein the client is informed that the portion of the high resolution part of the image file cannot be displayed (112 in Fig. 3A) (Jebens: col. 12, lines 15-16) when the image editing process that is being conducted is an image editing process that cannot be conducted on a portion by portion basis (532 in Fig. 8C) (Jebens: col. 15, lines 18-27).

(5) Regarding claims 6 and 14:

Seto and Jebens et al. teach the parental claim 1. Furthermore, Jebens et al. teach the server as claimed in claim 4, wherein the client commands a printing process to be conducted for the image file including the high resolution part of the image file (Jebens: col. 5, lines 55-56), in a case where the second image editing unit has not completed editing the high resolution part of the image file (Jebens: col. 9, lines 47-54), the client is informed that the printing process cannot be conducted (532 in Fig. 8C) (Jebens: col. 15, lines 18-27).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amara Abdi whose telephone number is (571)270-1670. The examiner can normally be reached on Monday through Friday 8:00 Am to 4:00 PM E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jingge Wu/
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/Amara Abdi/
Examiner, Art Unit 2624